

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 29290 of 2022

M/s. Emphoria Works Pvt., Ltd.,
BBSR

Petitioner

Mr.A.Das, Advocate.

Vs.

OPTCL, BBSR & Others

Opposite Parties

Mr. P.K.Muduli, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

09.11.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. A.Das, learned counsel for Petitioner and Mr.P.K.Muduli, learned Addl. Government Advocate for the State- Opposite Parties.

3. The present Writ Petition has been filed with the following prayer:-

“ It is therefore prayed that, this Hon’ble Court would graciously be pleased to issue Rule NISI in the nature of Writ of Mandamus and/or any other appropriate writ and/or writs, direction and/or directions, order and /or orders, calling upon the Opp. Parties, more specifically Opp. Party No.2, to show cause as to why the impugned letter No.677 dtd.15.10.2022 for debarment of the petitioner company from participating in all forth coming tenders of OPTCL either for 02 numbers of successive upcoming tenders or 02 numbers of consecutive six monthly performance assessment i.e. 01.10.2022 to 31.09.2023 which is later, under Annexure-3 shall not be quashed and as to why the petitioner company shall not be allowed to participate in the upcoming tenders of the OPTCL by considering its representations under Annexure-5”.

4. In course of hearing, learned counsel for the Petitioner states that highlighting the grievances, the Petitioner has made a representation to Opposite Party No.2 vide Annexure-5 and the same may be directed to be considered within a stipulated time, to which learned Counsel for the State has no objection.

5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.2 to consider the representation filed by the petitioner vide Annexure-5, and pass appropriate order in accordance with law within a period of six weeks from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

Subrat

